

REMARKS

Claims 1-9 are pending in the present application.

First Election Requirement

In the first Office Action, the Examiner required an election between (1) the species identified as (1) the method of making the tire disclosed in Fig. 3A and (2) the method of making the tire disclosed in species disclosed in Fig. 3B. The Examiner also stated, in a telephone discussion with Applicant's representative on October 17, 2003, that the method of making the tire disclosed in Fig. 3C should have been identified as a third species.

In response to the first election requirement, Applicant provisionally elects the method of making the tire disclosed in Fig. 3B. Claims 1-5, 7 and 9 are readable on the elected species. Furthermore, claims 1, 5 and 9 are generic to the three species identified in the first restriction requirement.

Second Election Requirement

The Examiner also required an election between the species identified as (1) the method of making the tire disclosed in Fig. 1, wherein "a breaker ply of smaller axial width is disposed between the carcass and the wide breaker ply," and (2) the method

of making the tire disclosed in Fig. 2, wherein "the wide breaker ply is disposed between the carcass and a breaker ply of smaller axial width."

In response to the second election requirement, Applicant provisionally elects the method of making the tire disclosed in Fig. 2. Claims 1, 3-7 and 9 are readable on the elected species. Furthermore, claims 1, 5, 6, 7 and 9 are generic to the two species identified in the second restriction requirement.

Traverse of Election Requirements

Applicant respectfully traverses both the requirements for an election of species. Because of the close inter-relationship between the methods of the species identified in both of the election requirements, Applicant submits that all of the claims in this patent application are properly examinable in a single application - and could be examined without imposing a significant additional burden on the Examiner. Furthermore, restricting the application to the provisionally elected species would impose a financial hardship on the Applicant, which, in view of the similarities between the species identified by the Examiner, is unwarranted.

Applicant specifically reserves the right to file one or more divisional applications on the non-elected species.

In view of the foregoing remarks, Application respectfully requests reconsideration and withdrawal of both of the requirements for an election of species and an action on the merits of all of the claims in this application.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Joseph A. Kolasch (Reg. No. 22,463) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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